

REMARKS

Claim 1 has been amended to correct formal issues pointed out by the Examiner.

Claims 1 and 10 stand rejected as unpatentable over Nordeen et al. (Nordeen) in view of Thomas et al. (Thomas). The rejection is respectfully traversed.

According to the Office Action, Nordeen discloses laminating a “thermoplastic layer and a support layer to a plastic ink receptive layer.” In the 2nd paragraph of page 3 of the Office Action, the rejection notes that “Nordeen does not disclose plasma etching the plastic ink receptive layer,” but suggests, in the next paragraph, that this would have been obvious in view of Thomas in order to “increase the receptivity to ink, paints, or other surfaces.”

Whether or not Thomas would have made it obvious to plasma etch the plastic ink receptive layer of Nordeen is moot because the present application does not disclose or claim plasma etching any part of the image receiver sheet (140 of Fig. 5). In the preferred embodiment illustrated in Fig. 5 of the present invention, sheet 350 is plasma etched, and the rejected claims read on this embodiment. The rejected claims do not read on Nordeen, even if Nordeen’s ink receptive layer was plasma etched. Clearly, plasma etching plastic material 350 of Fig. 5 is not the same as plasma etching an ink receptive layer of Nordeen, which is what the Examiner suggests would be made obvious by Thomas et al.

While the Examiner has repeated the language of Claim 1, and has proposed that Nordeen discloses all of the elements thereof (with the exception of plasma etching the ink receptive layer), the Examiner makes no attempt to associate the claimed elements with the structure disclosed in Nordeen. Applicant understands the difficulty that the Examiner would have in doing so in view of the lack of drawings in Nordeen, but such association will be necessary at some point during the prosecution of this application and should be attempted now by the Examiner before the case passes to the Board of Appeals. In that way, the Examiner and the Applicant can be sure that both are reading the reference in the same manner, and the issues on appeal will be reduced.

For example, Claim 1 calls for “laminating a pre-laminate sheet of material comprising a first thermoplastic layer and a first support layer to said sheet of plasma etched plastic material.” What elements of Nordeen does this

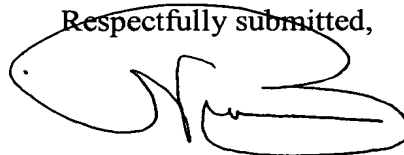
read on, and where in Nordeen would the first support layer be removed from this composite? Where then does Nordeen disclose laminating the remaining parts of this composite to an imaged receiver sheet?

This is the fourth Office Action, and Applicant's attorney has made a substantial effort to follow the Examiner's reading of the prior art. However, at this point in the prosecution the attorney can still not understand how the pending claims can be read on Nordeen. Additional insights as the Examiner's interpretation of Nordeen would be greatly appreciated.

Claims 2-9 depend from Claim 1 and Claim 11 depends from Claim 10. The dependent claims stand rejected over Nordeen and Thomas as applied to the independent claims and further in view of various other references. The dependent claims are allowable with the independent claims, as the other references fail to disclose the information undisclosed by Nordeen and Thomas.

In view of the foregoing, it is believed that none of the references, taken singularly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, and such action is solicited.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.